**THE HON'BLE Ms. JUSTICE G. ROHINI**

**WRIT PETITION NO.12037 OF 2007**

**DATED: 12-06-2007**

Between :

Smt. R.Pushpa

… Petitioner

And

The Collector (Civil Supplies),
Adilabad District and two others.

.. Respondents

**THE HON'BLE Ms. JUSTICE G. ROHINI**

**WRIT PETITION NO.12037 OF 2007**

**ORDER :**

The petitioner is the fair price shop dealer of Ityal-1, Dahegaon Mandal, Adilabad District. The authorisation of the petitioner was cancelled by the second respondent by order dated 21-04-2007, which is under challenge in this writ petition.

At the outset, it is to be noted that an efficacious alternative remedy of appeal is provided under the Andhra Pradesh Public Distribution System Control Order, 2001 against the impugned order and without exhausting such alternative remedy, the petitioner cannot maintain this writ petition.

However, the learned counsel for the petitioner contended that since the impugned order was passed without application of mind to the explanation offered by the petitioner, the availability of alternative remedy is not a bar to seek relief under Article 226 of the Constitution of India.

Since admittedly, a show cause notice was issued and the petitioner was given an opportunity to submit her explanation, I do not find any substance in the contention that the impugned order was violative of principles of natural justice.

Hence, I am not inclined to entertain the writ petition and accordingly, without expressing any opinion, the writ petition is disposed of granting leave and liberty to the petitioner to prefer an appeal within a period of two weeks from today. If any such

appeal is filed, the appellate Authority shall consider the same and pass appropriate orders within a period of six weeks thereafter in accordance with law. No costs.

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G. ROHINI, J.

Date 12-06-2007

Note: Issue C.C. in two days.

B/o

KLP